

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG

A.E.R. CONSTRUCTION, INC.,

Plaintiff,

v.

Civil Action No. 3:07-CV-40
(Judge Bailey)

TRAVELERS CASUALTY & SURETY
COMPANY OF AMERICA and THE ST.
PAUL TRAVELERS COMPANIES, INC.,
successor-in-interest to TRAVELERS
CASUALTY & SURETY COMPANY OF
AMERICA,

Defendants.

**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE TO FILE
SUPPLEMENTAL MOTION TO DISMISS OR STAY**

On this day, the above-styled matter came before the Court for consideration of Defendants' Motion for Leave to File Supplemental Motion to Dismiss or Stay [Doc. 15].

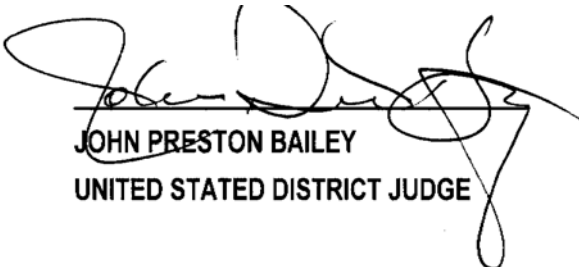
For reasons appearing to the Court, the defendants' motion [Doc. 15] is **GRANTED**. As such, the Court **ORDERS** defendants to refile the supplemental motion and memorandum in support thereof, which are currently filed as exhibits "A" and "B," respectively.

As a final matter, the plaintiff shall have two weeks to respond from the date on which the defendants file the requested motion.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record.

DATED: August 27, 2007.


JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE